

Remarks

This amendment is submitted in response to the Office Action of March 27, 2003. Reconsideration and allowance of the claims is requested.

In this Office Action, the claims were rejected as unpatentable over Takemura taken with Lindsley US 6,137,199, Lindsley being newly cited to support the rejection. This rejection is respectfully traversed.

In the Office Action, the Examiner cites Lindsley as disclosing a flux shield 43 extending substantially the entire width of the magnet and intervening between the magnet and the base. The Examiner states that Lindsley discloses that the flux shield 43 is formed of a magnetic material to capture any stray magnetic flux from the magnet 42. The Examiner further states that Lindsley discloses that the shield 43 is integrated with the back iron. Both of these statements are incorrect, wherefor the rejection is respectfully traversed.

A careful reading of Lindsley finds that the only description of the element 43 is at column 5, lines 35-42. Rather than stating that the blocking magnet is designed to capture any stray magnetic flux, or is integrated with the back iron, the patent clearly states that "the blocking pole magnets 41, 43 are arranged so as to force leakage infringing fluxes back to the primary flux path of the primary magnets 42, thereby increasing the strength of the flux field that cuts the stator winding. The efficiency in current output is thus increased in the direct ratio thereto.

This interpretation is reinforced by Figure 13 which clearly shows at the top of the figure that the blocking magnets 41, 43 are in fact magnets of the same type as the primary magnet, and are simply spaced therefrom by spacer of aluminum spacer or the like 45, an interpretation which is confirmed by column 5, lines 55-58. Such magnets would not absorb magnetic flux as is recited in the claims and is as required for the claimed invention.

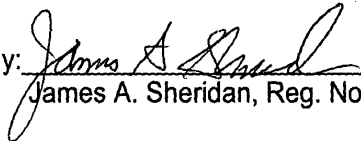
In fact, they simply are additional magnets, adding to the overall dimension of the primary central magnet, with the magnet 41 being in fact placed very close to the base and separated therefrom only by an aluminum spacer 45. Since the blocking magnet 41 is closely adjacent the base, and creating magnetic flux on its own, it would create the same drag on performance as occurs in the prior art. Moreover, a review of this reference by experts in this field confirms what the patentee has created, it is simply a magnet of extended length comprising separate sections 42, 41, and 43, with the magnet being somewhat inefficient in generating magnetic flux because the dead zones created by the spacers interposed between magnets 41 and 42 and magnets 42 and 43. Therefore, this reference utterly fails to teach the claimed invention and in fact teaches the prior art wherein the magnet 41 being closely spaced from the base interacts with the base to create a drag on rotation of the motor.

In view of these clear distinctions, and the failure to provide a reference which teaches the invention described and claimed herein, reconsideration and allowance of the claims is requested.

If any matters can be handled by telephone, Applicant requests that the Examiner telephone Applicant's attorney at the number below.

The Commissioner is authorized to charge any additional fees to Deposit Account
No. 20-0782 (Order No. STL 10023).

Respectfully submitted,

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